

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

FILED

SEP 01 2022

CLERK OF CIRCUIT COURT #56
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

TODD JOHNSON,

Plaintiff,

v.

KRUPP TRUCKING, LLC, MARY
WILKS, and MATEO DIAZ,

Defendants.

No. 2022LA000982

FIRST AMENDED COMPLAINT

COUNT I
(Krupp Trucking, LLC)

Comes now the Plaintiff Todd Johnson, by and through his attorneys, Cook, Bartholomew, Shevlin, Cook & Jones, LLP, and Bruce Cook, and for his Complaint against the Defendant Krupp Trucking, LLC, respectfully represents unto the Court as follows:

1. On or about July 25, 2022, Plaintiff Todd Johnson was operating a Chevrolet Silverado eastbound on I-270 near mile post 4 in Granite City, Illinois.
2. On the aforementioned date at the aforementioned location, Defendant Mary Wilks was operating a Freightliner tractor trailer in a westbound direction.
3. On the aforementioned date at the aforementioned location, Defendant Mateo Diaz was operating a Chevrolet Malibu in a westbound direction.
4. That while traveling in the westbound lanes of I-270, Defendant Wilks and Defendant Diaz collided, causing the Defendant Wilks and the tractor trailer to cross the median and strike Plaintiff Todd Johnson in a head on collision.

5. That Plaintiff Todd Johnson is a resident of Madison County, Illinois.

6. That based on information and belief, on July 25, 2022, Defendant Wilks was employed by Krupp Trucking, LLC, a Missouri corporation doing business in Madison County, Illinois.

7. That at the aforementioned time and place, through its employee, Defendant Mary Wilks, the Defendant Krupp Trucking, LLC was then and there guilty of the following negligent acts and omissions:

- (a) Defendant Mary Wilks negligently and carelessly failed to keep her truck under proper control,
- (b) Defendant Mary Wilks negligently and carelessly failed to keep a proper lookout for other vehicles on the road,
- (c) Defendant Mary Wilks negligently and carelessly failed to reduce speed to avoid an accident, and
- (d) Negligently and carelessly failed to properly train its employees on the safe and proper operation of the tractor trailer.

8. As a direct result of one or more of the foregoing negligent acts or omissions on the part of the Defendant Krupp Trucking, LLC, the Plaintiff was caused to sustain severe and permanently disabling injuries, more specifically to-wit: that he sustained great pain and mental anguish; that he has a crushed sternum and sustained injuries to his heart, lungs, fractures to his spine, pelvis ribs and injuries to his body as a whole; and that he has lost and in the future will continue to lose large sums of money by his inability to pursue his normal gainful occupation; that he has paid and in the future will continue to pay large sums of money in obtaining the necessary hospital and medical treatment; and

he will continue to suffer great pain and mental anguish in the future, all to the damage of the Plaintiff in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

WHEREFORE, the Plaintiff, Todd Johnson, demands judgment against the Defendant, Krupp Trucking, LLC, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs of this action.

COUNT II
(Mary Wilks)

Comes now the Plaintiff Todd Johnson, by and through his attorneys, Cook, Bartholomew, Shevlin, Cook & Jones, LLP, and Bruce Cook, and for his Complaint against the Defendant Mary Wilks, respectfully represents unto the Court as follows:

1. On or about July 25, 2022, Plaintiff Todd Johnson was operating a Chevrolet Silverado eastbound on I-270 near mile post 4 in Granite City, Illinois.
2. On the aforementioned date at the aforementioned location, Defendant Mary Wilks was operating a Freightliner tractor trailer in a westbound direction.
3. On the aforementioned date at the aforementioned location, Defendant Mateo Diaz was operating a Chevrolet Malibu in a westbound direction.
4. That while traveling in the westbound lanes of I-270, Defendant Wilks and Defendant Diaz collided, causing the Defendant Wilks and the tractor trailer to cross the median and strike Plaintiff Todd Johnson in a head on collision.
5. That Plaintiff Todd Johnson is a resident of Madison County, Illinois.
6. That based on information and belief, on July 25, 2022, Defendant Wilks was employed by Krupp Trucking, LLC, a Missouri corporation doing business in Madison County, Illinois.

7. That at the aforementioned time and place, Defendant Mary Wilks was then and there guilty of the following negligent acts and omissions:

- (a) Negligently and carelessly failed to keep her truck under proper control,
- (b) Negligently and carelessly failed to keep a proper lookout for other vehicles on the road, and
- (c) Negligently and carelessly failed to reduce speed to avoid an accident.

8. As a direct result of one or more of the foregoing negligent acts or omissions on the part of the Defendant Mary Wilks, the Plaintiff was caused to sustain severe and permanently disabling injuries, more specifically to-wit: that he sustained great pain and mental anguish; that he has a crushed sternum and sustained injuries to his heart, lungs, fractures to his spine, pelvis ribs and injuries to his body as a whole; and that he has lost and in the future will continue to lose large sums of money by his inability to pursue his normal gainful occupation; that he has paid and in the future will continue to pay large sums of money in obtaining the necessary hospital and medical treatment; and he will continue to suffer great pain and mental anguish in the future, all to the damage of the Plaintiff in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

WHEREFORE, the Plaintiff, Todd Johnson, demands judgment against the Defendant, Mary Wilks, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs of this action.

COUNT III
(Mateo Diaz)

Comes now the Plaintiff Todd Johnson, by and through his attorneys, Cook, Bartholomew, Shevlin, Cook & Jones, LLP, and Bruce Cook, and for his Complaint against the Defendant Mateo Diaz, respectfully represents unto the Court as follows:

1. On or about July 25, 2022, Plaintiff Todd Johnson was operating a Chevrolet Silverado eastbound on I-270 near mile post 4 in Granite City, Illinois.
2. On the aforementioned date at the aforementioned location, Defendant Mary Wilks was operating a Freightliner tractor trailer in a westbound direction.
3. On the aforementioned date at the aforementioned location, Defendant Mateo Diaz was operating a Chevrolet Malibu in a westbound direction.
4. That while traveling in the westbound lanes of I-270, Defendant Wilks and Defendant Diaz collided, causing the Defendant Wilks and the tractor trailer to cross the median and strike Plaintiff Todd Johnson in a head on collision.
5. That Plaintiff Todd Johnson is a resident of Madison County, Illinois.
6. That based on information and belief, on July 25, 2022, Defendant Wilks was employed by Krupp Trucking, LLC, a Missouri corporation doing business in Madison County, Illinois.
7. That at the aforementioned time and place, Defendant Mateo Diaz was then and there guilty of the following negligent acts and omissions:
 - (a) Negligently and carelessly failed to keep her truck under proper control,
 - (b) Negligently and carelessly failed to keep a proper lookout for other vehicles on the road, and

(c) Negligently and carelessly failed to reduce speed to avoid an accident.

8. As a direct result of one or more of the foregoing negligent acts or omissions on the part of the Defendant Mateo Diaz, the Plaintiff was caused to sustain severe and permanently disabling injuries, more specifically to-wit: that he sustained great pain and mental anguish; that he has a crushed sternum and sustained injuries to his heart, lungs, fractures to his spine, pelvis ribs and injuries to his body as a whole; and that he has lost and in the future will continue to lose large sums of money by his inability to pursue his normal gainful occupation; that he has paid and in the future will continue to pay large sums of money in obtaining the necessary hospital and medical treatment; and he will continue to suffer great pain and mental anguish in the future, all to the damage of the Plaintiff in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

WHEREFORE, the Plaintiff, Todd Johnson, demands judgment against the Defendant, Mateo Diaz, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs of this action.

/s/ Bruce Cook

Bruce Cook

IL REG. #00507660

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